

EDWARD H. OKUN	§	
VS.	§	CIVIL ACTION NO. 1:16-CV-451
ROBERT P. MCINTOSH, <i>et al.</i> ,	§	

Plaintiff, Edward H. Okun, an inmate confined at FCI Beaumont, proceeding *pro se*, filed this *Biven's*-type¹ action against defendants Robert P. McIntosh, Assistant U.S. Attorney, and J.P. Chase Morgan Bank.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff's civil action be dismissed for failure to state a claim and as frivolous.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.²


¹In *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), the Supreme Court recognized an individual's right to recover damages from federal officials for violation of constitutional rights.

²Plaintiff, in fact, filed a motion to voluntarily dismiss his claims on January 3, 2017 (docket entry no. 10).

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **PARTIALLY ADOPTED** to the extent it recommends dismissal. A Final Judgment will be entered in accordance with the Magistrate Judge's recommendations.

So **ORDERED** and **SIGNED** this **6** day of **January, 2017**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge